

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Kehinde McAllister,

Petitioner,

v.

Case No. 2:07-CV-924

Jeffrey Wolfe, Warden,

Judge Michael H. Watson

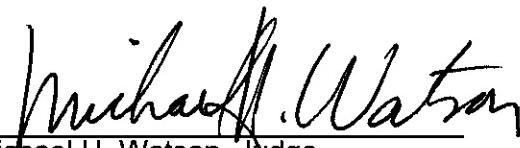
Respondent.

ORDER

On October 10, 2008, the United States Magistrate Judge issued a *Report and Recommendation* recommending that this action be dismissed without prejudice as unexhausted. Alternatively, petitioner may delete his unexhausted claims from this habeas corpus petition and proceed on his remaining exhausted claims. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED** for failure to exhaust.

The Clerk shall enter **FINAL JUDGMENT** in this case.



Michael H. Watson, Judge
United States District Court